

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5290 of 2021

Arising Out of PS. Case No.-307 Year-2020 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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RAHUL KUMAR @ RAHUL KUMAR SINGH Son of Anuj Kumar Singh
Resident of Mohalla- Khalifabagh Sagar Telecom, P.S.- Kotwali, District-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Masleh Uddin Ashraf, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-03-2021 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Kotwali (Tilkamanjhi)
P.S. Case no. 307 of 2020 registered under sections 341, 323,
307, 427 and 34 of the Indian Penal Code and section 27 of the
Arms Act.

As per allegation in the FIR, it is stated by the
informant that while he was in the car along with one Maisar,
all of a sudden firing took place. It is stated that the second shot
was fired by Md. Sikandar @ Raja. Thereafter, Md. Shahnawaz
@ Sikandar fired. Both of them are sons of Md. Aksar Ali.
It is further stated that Md. Sanu and



Md. Shaddam @ Lappa were part of the conspiracy which led to this occurrence. The cause of occurrence is stated to be the fight with Md. Saif@Tipu.

It is submitted by learned counsel for the petitioner that the informant has given a detailed description of the occurrence in the FIR with the names of the accused persons involved. The petitioner has not been named as accused therein. Further, referring to the order of the learned Court below it is submitted that the name of the petitioner transpired in course of investigation in paragraph no. 39 of the case diary in the confessional statement allegedly given by the petitioner himself before the police in connection with another case. The petitioner is in custody since 13.8.2020 and charge sheet has been submitted in the case

The application for bail is opposed by learned APP for the State. .

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the petitioner being in custody since 13.8.2020, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Kotwali (Tilkamanjhi) P.S. Case no. 307 of 2020 on



furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand)
with two sureties of the like amount each to the satisfaction of
the learned Chief Judicial Magistrate, Bhagalpur.

(Partha Sarthy, J)

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